

RCE 87 LLC
6/14/02

#32

O I P E
JUN 05 2002
PATENT & TRADEMARK OFFICE
U.S. DEPARTMENT OF COMMERCE

Request For Continued Examination (RCE) Transmittal

Subsection 132 of U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See the American Inventors Protection Act of 1999 (AIPA)

Application Number	09/090,067
Filing Date	June 3, 1998
First Named Inventor	Redmond et al.
Group Art Unit	3722
Examiner Name	M. Henderson
Attorney Docket Number	P0540

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, File Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule 65 Fed. Reg. 14864 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered.)
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply.
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.114 when the RCE is filed.

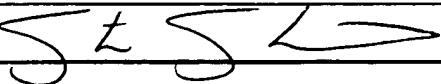
- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1071.
 - i. RCE fee required under 37 C.F.R. § 1.17(e) 06/06/2002 MGEBREM1 00000121 501071 090906
 - ii. Extension of time fees (37 C.F.R. §§ 1.136 AND 1.17) 01 FC:179 740.00 CH
 - iii. Other _____

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

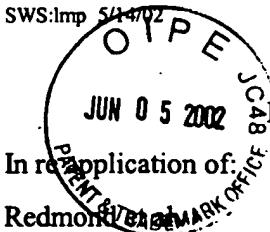
Name (Print/Type)	Steven W. Stewart	Registration No. (Attorney/Agent)	45,133
Signature		Date	May 14, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Box RCE, Washington, D.C. 20231 on May 14, 2002.

Name (Print/Type)	Steven W. Stewart		
Signature		Date	May 14, 2002

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PATENT
Attorney's Matter No. P0540

Part of
#32

Application No.: 09/090,067

Filed: June 3, 1998

For: IDENTIFICATION DOCUMENT WITH
DOCUMENT SPECIFIC REDUCED SCALE
PRINTING

Examiner: M. Henderson

Date: May 14, 2002

Art Unit: 3722

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on May 14, 2002 as First Class Mail in an envelope addressed to: ASSISTANT COMMISSIONER FOR PATENTS, BOX RCE, WASHINGTON D.C. 20231.

SL SL
Steven W. Stewart
Attorney for Applicant

TRANSMITTAL LETTER

TO THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Enclosed are a Response Accompanying RCE and Request for Personal Interview and Request for Continued Examination for the above application. The fee has been calculated as shown below.

CLAIMS AS AMENDED

For	No. after amendment	No. paid for previously	Present Extra	Rate	Fee
Total Claims	21	21	= 0	\$18.00	\$0.00
Indep. Claims	3	3	= 0	\$84.00	\$0.00
Two-month Extension of Time					\$400.00
TOTAL ADDITIONAL FEE FOR THIS RESPONSE:					\$400.00

Applicant petitions for an extension of time for the number of months indicated above. If an additional extension of time is required, please consider this a petition therefore.

Charge \$1,140.00 (fee for RCE (\$740.00), Extension of time (\$400.00)) and any additional fees, which may be required in connection with filing this Response and RCE and any extension of time, or credit any overpayment, to Deposit Account No. 50-1071.

Respectfully submitted,

DIGIMARC CORPORATION



23735

Phone: 503-885-9699
FAX 503-885-9880

By *SL SL*
Steven W. Stewart
Registration No. 45,133

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0909067

06/06/2002 MIGEREM1 00000121 501071
02 FC:116 400.00 CH

COPY OF PAPERS
ORIGINALLY FILED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Redmond et al.

Serial No. 09/090,067

Filed: June 3, 1998

For: IDENTIFICATION DOCUMENT WITH
DOCUMENT SPECIFIC REDUCED
SCALE PRINTING

Examiner: M. Henderson

Date: May 14, 2002

Art Unit 3722

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS PAPER AND THE DOCUMENTS REFERRED TO AS BEING ATTACHED OR ENCLOSED HEREWITH ARE BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE ON May 14, 2002 AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, BOX RCE, WASHINGTON, D.C. 20231.



Steven W. Stewart

Attorney for Applicant

**RESPONSE ACCOMPANYING RCE
AND
REQUEST FOR PERSONAL INTERVIEW**

BOX RCE
ASSISTANT COMMISSIONER FOR PATENTS
Washington, DC 20231

Sir:

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RESPONSE

This Response accompanies a concurrently filed Request for Continued Examination (RCE). This Response also responds to the Final Rejection dated December 20, 2001.

A relevant prosecution timeline is provided below to clarify the prosecution history over the last year.

Prosecution Timeline:

1. On March 27, 2001, the Patent and Trademark Office (PTO) issues a Final Rejection of claims 1, 3-6, 8-11, 13-16, 18-21 and 23-26.
2. On June 21, 2001, Applicant (Polaroid) responds to the March 27, 2001, Final Rejection.
3. On July 5, 2001, the PTO removes the finality of the March 27, 2001, Final Rejection, but issues another Final Rejection.
4. On November 13, 2001, Applicant (Polaroid) responds to the July 5, 2001, Final Rejection, requesting that the finality of the July 5, 2001, Final Rejection be reconsidered.
5. On December 20, 2001, the PTO apparently reconsiders its July 5, 2001, Final Rejection, but issues yet another Final Rejection. (The present Response addresses this December 20, 2001, Final Rejection.).
6. On December 21, 2001, Digimarc Corporation, through its subsidiary Digimarc ID Systems, acquires this application (09/090,067). A Change of Correspondence Address and Power of Attorney (Revocation of Prior Powers) is filed on April 25, 2002, evidencing this assignment. A copy of the assignment is attached for the Examiner's convenience.
7. On January 7, 2002, Applicant (Digimarc) filed a Notice of Appeal to the July 5, 2001, Final Rejection (item 3 above). This Notice of Appeal is believed moot in view of the December 20, 2001, Final Rejection. (Applicant apologizes for the confusion, if any, caused by the filing of the January 7, 2002, Notice of Appeal. The Notice of Appeal was filed based on information contained in an incomplete file.).
8. On May 14, 2002, Applicant files a Request for Continued Examination (RCE) and responds to the December 20, 2001, Final Rejection (see item 5 above).